HIGH COURT OF JUDICATURE CHHATTISGARH : BILASPUR

DIVISION BENCH

CORAM : HON'BLE SHRI H.L. DATTU, CJ &
HON'BLE SHRI V.K. SHRIVASTAVA, J.

WRIT PETITION (PIL) NO. 755 OF 2002

PETITIONER

Moolchand Sharma, Aged about 36 years, S/o Late Radha Kishan Sharma, R/o Saja, Distt. Durg (C'Garh).

Versus

RESPONDENTS

State of Chhattisgarh, Through :

1. The Chief Secretary, Mantralaya, D.K. Bhavan, Raipur.
2. The Secretary, Deptt. of Public Health, Mantralaya, D.K. Bhavan, Raipur.
3. Distt. Collector, Durg (CG).
4. Chief Medical Officer, Govt. Hospital, Durg.
5. Block Medical Officer, Block – SAJA, Distt. Durg (C'Garh).

Present :

Shri Uttam Pandey, counsel for the petitioner.

Shri Vinay Harit, Dy. Advocate General for the State/respondents.

ORAL ORDER

(Passed on 21st March, 2007)

The following oral order of the Court was passed by **H.L. Dattu, CJ.**

Petitioner claims that he is a public-spirited citizen, a tax payer and a practicing lawyer, practicing at Tehsil Saja. He also claims that he is a social worker, fighting for the upliftment and welfare of the society.

2) In the body of the petition, the petitioner has stated that he is questioning the propriety and appointment of one Dr. R.P. Sharma in the hospital at Thankhamhariya on attachment basis for the last 16 years.

3) The petitioner seeks the following reliefs in this Public Interest Litigation ("PIL" for short) :

i) to issue a direction to the respondents that Dr. R.P. Sharma be transferred from Government Hospital/Health Centre/ Maternity Home Thankhamhariya and a lady Doctor be appointed there.

ii) for handing over the enquiry to CBI in view of the laxity of the Police Officers in finding out the cause of death of one Smt. Ankalahin Bai @ Chirayee, W/o Roopoo.

iii) for payment of compensation to the tune of Rs.2,00,000/-.

4) A perusal of the pleadings and the relief sought for by the petitioner in this writ petition would clearly demonstrate that the petition so filed is not in the public interest but to espouse the cause of a particular person, that only means it is not a Public Interest Litigation, but a Private Interest Litigation at the behest of some third person. This sort of litigations should not be entertained in view of the number of decisions of the Apex Court. In that view of the matter, we do not entertain this writ petition. Accordingly the petition is rejected. However, liberty is reserved to the citizens of the area to approach this Court, if they have any grievance. Ordered accordingly.

Sd/-
Vijay Kumar Shrivastava
Judge

Sd/-
Chief Justice